

**JAMUL DULZURA  
COMMUNITY PLANNING GROUP  
July 22, 2008 Draft Minutes  
(To be approved August 12, 2008)**

1. **Call to Order** Dan Neirinckx, Chair, called the meeting to order at 7:41 p.m.
2. **Roll Call: Present:** Dan Neirinckx, Dan Kjonsgaard, Linda Ivy, Janet Mulder, James Talbot, Martin Muschinske, Judy Bohlen, Frank Hewitt, Randy White, Richard Wright and Wythe Davis.  
**Excused:** Janice Grace.  
  
**Absent:** Earl Katzer, Krishna Toolsie and Steve Wragg.
3. **Motion to approve the Minutes for July 8 and Agenda for July 22, 2008. Motion passed unanimously after some discussion.**

**Marty Muschinske left the meeting at this point.**

4. **OPEN FORUM - Opportunity for public to speak - limit 3 minutes**
  - a. **Janet announced that all odd seats are up for re-election and that includes Dan Neirinckx, James Talbot, Linda Ivy, Frank Hewitt, Richard Wright, Earl Katzer, Martin Muschinske, and Steve Wragg. They are reminded to file at the Registrar of Voters and they may fill out a ballot statement and bring it with them along with a check for the fee. They do not have to file a ballot statement, but do need to file before August 8<sup>th</sup>.**
  - b. **Frank Hewitt, Judy Bohlen and Dan Neirinckx will not be at the next meeting.** □
5. **James Talbot moved we open the JDCPG meetings with Pledge of Allegiance as he felt it would be a fitting and proper way to start our meetings. Richard Wright, stated that while he appreciates all that has been shown as loyalty, and that he himself is very patriotic, he questioned why we would need to start saying the Pledge as of this date when we have been in existence since the '70s and found no need to say it before this time. Jim Talbot pointed out that we are a governmental agency and most of those start their meetings with a Pledge of Allegiance. Linda Ivy said that she works in a high school and that she pointed out to a young woman who did not want to stand for the pledge that she should stand in respect for the country and could refrain from saying the Pledge if she desired. Randy White said that the Board of Supervisors creates this group and that if you want to hear the pledge you can go to their meetings. Janet Mulder pointed out that we are acting as an arm of the government and as such should have no problem affirming our loyalty to it. She stated that during her 30+ years on the JDCPG, the suggestion had never been made before, but that should not preclude us from doing it now. Ted Marioncelli stated that he has attended many planning group meetings throughout the County that do start with the pledge. Richard Wright assured us there were many Planning Groups who did not open with the pledge as well. Dan Kjonsgaard pointed out that there are some people who will not choose to say the Pledge due to religious convictions, and that is okay. Dan Neirinckx stated that he put it on the agenda so the Planning**

Group could vote and the majority would make the decision. **Vote was 7, Yes: 3, No (Wright, White, and Hewitt)) and 1 out of the room (Muschinske), therefore, the motion did not carry.**

**Dan Neirinckx recused himself at this point of the meeting due to a conflict of interest (financial) on the next item.**

6. **P08-009- Jamul Water Tank ATT Cell Site – Bear Mountain – Judy Bohlen introduced Ted Marioncelli of Plan Com, Inc who said that AT&T has proposed adding antennas on the outside of the existing water tank with surrounding landscaping to camouflage the equipment. Their equipment will be moved from the original proposal. Judy Bohlen said that the planner wanted barbed wire on the top of the buildings and reduce the landscaping to change the screening to vines rather than trees. The Planner also wanted to have an alternative site and Judy pointed out that there were already antennas on this ugly tank and that the Planning Group would prefer to have them all on one tank rather than spread through out the planning area. Ted Marioncelli said that he will look at alternatives, but agreed with Judy. Frank Hewitt said that as long as there was not going to be air conditioning units, thus virtually no noise that it would be better to consolidate them on the tank, Randy White pointed out that Otay Water District's existing landscaping does not do a good job of screening the tanks. Linda Ivy, acting as chair, ruled that the discussion should pertain only to the AT&T project and not a general discussion of Otay's landscaping abilities.**

**Dan Kjongegaard recused himself at this point in the meeting as he wished to make a statement representing Otay. He pointed out that Otay had plans to grade the area to put in another tank and it would have destroyed the proposed tree plantings originally designed to screen the AT&T facility.**

**Judy Bohlen moved that we recommend approval of this plan at this site and to encourage the County not to consider an alternative site when one exists that appears to be optimum as it is a water tank that already has existing antennas on it. Motion carried: 8, Yes; 0, No; 2 Abstentions (Neirinckx – financial, and Kjongegaard – job related)**

**Dan Neirinckx and Dan Kjongegaard both returned to the table and took their places as part of the Planning Group for the next item.**

7. **Jamul Indian Village Casino Status Report and Recommendation: Randy White reported that he had received phone calls regarding the Lakes Argowitz land that is in the MCSP and they have cattle grazing on it. On June 23, 2008, he received a copy of a letter from DPLU sent to Lakes Argowitz, telling them that cattle grazing is not allowed on this land that is within the biological reserve for habitat and requesting them to remove the cattle as soon as possible. Randy points out that there seems to be "no teeth" in the MSCP requirement on the land, and that the landowner makes the determination as to the removal of the animals or not. There seems to be nothing we can do, as the private landowner is indeed the owner and can make the determination as to what they do with their land even if it is not in the best interest of the larger community. Richard Wright pointed out that ultimately even though it is degraded, if can be shown to be native habitat for an endangered species, and it will still be**

important to preserve. **Janet Mulder** reported on a meeting held with Caltrans in which Caltrans assured the community members in attendance that the "k rails" set up by the JIV were not in Caltrans' Right of way, and that all digging for the wet tap was also not within the ROW. However, the photos seemed to show that the digging went under the blacktop and therefore in the ROW. The JAC is having a survey done to see what the actual ROW should be. The Caltrans people felt strongly that the water tap was on the 8-inch line which they said was on the JIV property and that the 16-inch line ran "under the roadway". Upon investigation with Otay, speaking with Mark Watton, he assured us that the water tap was in the 16-inch line, but he felt (and sent photos) to show that it was not in the Caltrans ROW. **Dan Kjonggaard** stated that the standard survey would show the actual centerline, which may well be different from the painted yellow line, which was also Caltrans point of view. **Richard Wright** said they needed to use the same control points as the previous survey. There is another meeting tentatively scheduled for next week with the community members and Caltrans.

8. **Sunrise Powerlink – Dan Kjonggaard** passed out a map, which generally covers that portion of our Planning Area that is affected. He pointed out that Sempra is working in conjunction with a Mexican company to build windmills for alternative energy. They have altered some portions of the proposed routes including the one that comes through our Planning Area, known as the Modified D Alternative. The alternations are not many within our planning area. There will be a meeting in Jacumba on August 4 for public information and all written comments are due to PUC and BLM by August 25. They have stated that some of the reasons for the changes are for cultural and habitat. Campo Indian Reservation who has a windmill farm that provides their electricity will not allow Sempra to cross their property. **Dan Kjonggaard** will represent us at the meeting on August 4 and report back at the next meeting.
9. **TPM21060 – Hamilton – Replacement 2 – Lyons Valley Rd – Marty Muschinske** – postponed until next meeting as Marty needed to leave.
10. **TPM 2112-2 Scoping Letter – Henning 13542 Proctor Valley Road – Steve Wragg** – postponed until next meeting as Steve was not in attendance.
11. **Notice of Public Availability – California Fish and Game – Planning agreement for the Natural Community Conservation Planning Act – Dan Neirinckx and Linda Ivy** researched this and have been told that there will be no public input for six months to a year and that the exact areas being effected are not determined as of this point. The endangered species list only lists the creatures, and this is aimed at cooperating between the County and State regulations. More land will be included in this effort and our MSCP will be a help in formatting the new land use in the eastern part of the County,
12. **Right of Away Abandonment near Via Marabella – Steve Wragg** not here so postponed until the next meeting.
13. **General Plan Update – Community Plan – Steering Committee (chairs of the Planning Groups)** will meet on Saturday and their comments will be taken to the Board of Supervisors. **Dan Kjonggaard** pointed out that our Plan allows clustering with dedicated open space. **Frank Hewitt** suggested that the clustering of the houses

could lead to a future vacation of the open space, which would violate the spirit of our plan. **Dan Neirinckx** stated that the County has stated that we can be more restrictive in our Plan within our community and that would help us in their new ideas for clustering which they now call "environmentally friendly compact design" to have larger parcels, but as a community plan, we can't do smaller parcels than their recommendations. **Randy White** asked if there was any compensation for people who purchased 20 acres in our area, which was originally zoned at 8-acres and then, downzoned to 40 acres in the new General Plan. **Dan Neirinckx** said no, that there would be some people caught in this downzoning, who will be able to build on their lots, but not to split them below the new minimum lot size.

#### **14. JDCPG Officer's Announcements and Reports**

- a. **Caltrans Newsletter of SR-94 of Operational Improvements sent to all Planning Group members.**
- b. **Board of Supervisors will receive a Progress Report on General Plan Update at their next meeting.**
- c. **Revision to I-63 - Planned Amendment Authorizations – Dan Neirinckx will review and report back at the August 26 meeting.**
- d. **San Diego County Traffic Advisory Committee - meeting Aug 1 – nothing in our Planning Area**
- e. **GPA 03-005 – Peaceful Valley Ranch Final Report to Board of Supervisors**

#### **Adjournment:**

Dan adjourned the meeting at 9:04 pm reminding us that the next regular meeting is **Tuesday, August 12, 2008 at 7:30 pm at Oak Grove Middle School Library.**

Respectfully submitted,

Janet Mulder, Secretary